

9281-4241**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Akira Nakano et al.
Appln. No.: 10/043,739
Filed: January 9, 2002
For: Plasma Processing Apparatus And
System, Performance
Validation System And Inspection
Method Therefor

Examiner: MaGee, Christopher

Art Unit: 2653

RECEIVED

SEP 27 2004

Attorney Docket No: 9281-4241

OFFICE OF PETITIONS

PETITION TO WITHDRAW FROM ISSUE UNDER 37 CFR § 1.313

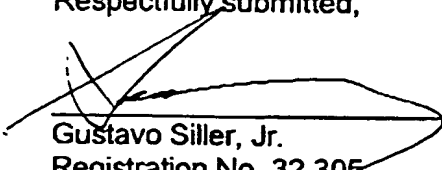
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

Applicants hereby petition for the withdrawal from issue of U.S. patent application Serial No. 10/043,739 ("the '739 application") under 37 CFR 1.313(b)(5) in order to permit the consideration of an Information Disclosure Statement Under Section 1.97 in a continuing application.

The issue fee for the above-identified application was paid by the certificate of mail procedure on August 17, 2004. Applicants received from the Japanese Patent Office for a corresponding foreign application an Office Action listing several references. Applicants desire to have the references cited in the Japanese Office Action considered by the Patent Office and hereby petitions for the withdrawal from issuance of the '739 patent application in order for Applicants to file an RCE (copy of transmittal attached) under 37 CFR § 1.53. Applicants authorize the deduction of the petition fee of \$130 to be withdrawn from Deposit Account 23-1925 as specified under 37 CFR § 1.17(i). A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Gustavo Siller, Jr.
Registration No. 32,305
Attorney for Applicants

9/27/04

Case No. 9281/4241
Applicant RECEIVED SEP 27 2004 043,739

Hon. Commissioner of Patents & Trademarks SEP 27 2004
Washington, D.C. 20231

OFFICE OF PETITIONS

Please acknowledge receipt of the below-identified:

PETITION TO WITHDRAW FROM ISSUE UNDER 37 CFR 1.313

BRINKS HOFER GILSON & LIONE
A PROFESSIONAL CORPORATION

By

Gustavo Siller, Jr.
Reg. No. 32,305